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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARIBEL MURILLO, individually and as
successor-in-interest Of The Estate of
deceased, JONATHAN MURILLO-NIX,

Plaintiff,

v.

CITY OF LOS ANGELES, a governmental
entity; JESUS MARTINEZ, individually;
KYLE GRIFFIN, individually; and DOES
1- 10, inclusive,

Defendants.

Case No. 22-cv-03188-DMG (SKx)

**DECLARATION OF KARI MAR IN
SUPPORT OF DEFENDANTS' JOINT
MOTION FOR SUMMARY
JUDGMENT OR, IN THE
ALTERNATIVE, PARTIAL
SUMMARY JUDGMENT**

DATE: December 15, 2023

TIME: 2:00 p.m.

DEPT: Courtroom 8C

JUDGE: Hon. Dolly M. Gee

1 I, Kari Mar, declare as follows:

2
3 1. I am a criminalist with the Los Angeles Police Department, Forensic Science
4 Division and have served in that capacity since 2010. I have personal knowledge of the
5 information set forth herein, except those things set forth on information and belief, and
6 as to those things, I believe them to be true.

7 2. Within my role as a criminalist with the LAPD, I was assigned to review
8 deoxyribonucleic acid (DNA) that was obtained from purple, plastic fragments that I
9 understand were gathered at the scene of an officer-involved shooting incident
10 ("Incident") involving Jonathan Murillo-Nix ("Murillo-Nix").

11 3. The DNA mixture profile [from the fragments] is at least 1 septillion times
12 more likely to occur if it originated from Murillo-Nix and an unknown individual than if
13 it originated from two unknown individuals.

14 4. Attached hereto as **Exhibit Y** is a true and correct copy of the laboratory
15 report that I prepared following the above-referenced analysis which confirms these
16 conclusions.

17 I declare under penalty of perjury under the laws of the United States of America
18 and the State of California that the foregoing is true and correct. Executed this 2nd day
19 of November 2023, in Los Angeles, California.

20
21 
22 Kari Mar

EXHIBIT Y



Los Angeles Police Department
Forensic Science Division
1800 Paseo Rancho Castilla, Los Angeles CA 90032

Laboratory Report

SID-22-001551 / Req. # 0008

Report finalized: June 13, 2022

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| | | | |
|----------------------|--------------------|-------------------------|----------------------|
| DR #: | 22-16-05080 | Name Associated: | JONATHAN MURILLO-NIX |
| Requested By: | FULLER #37232, FID | Offense: | OIS |
| Contact: | 37232@lapd.online | Service: | Serology/DNA - STRI |

I, the undersigned analyst, as a Criminalist employed by the Los Angeles Police Department, am prepared to testify to the information provided in this report. The following results relate only to the items tested.

Evidence Item(s):

- Item 37 (LIMS #3-1-1): Swab of knife handle
- Item 38 (LIMS #3-2-1): Swab of purple plastic fragments
- Item 39 (LIMS #4-1-1): Swab of damaged purple handle of knife
- Item 40 (LIMS #4-2-1): Swab of knife handle
- Item 41 (LIMS #4-3-1): Swab of damaged knife handle
- Item 42 (LIMS #4-4-1): Swab of purple handle of knife
- Item 54 (LIMS #5-1-1): Reference blood sample from Jonathan Murillo-Nix

Dates of Laboratory Activity: 3/30/2022 — 5/23/2022

Method

The testing for deoxyribonucleic acid (DNA) includes the extraction of samples. Extracts are tested for the presence and quantity of human DNA using the Applied Biosystems Real-Time PCR System with the Promega PowerQuant System. Human DNA extracts are amplified using the Polymerase Chain Reaction (PCR) and typed for Short Tandem Repeats (STRs) using the Promega Fusion 6C PCR Amplification Kit. This kit amplifies Amelogenin (gender typing), 23 autosomal STR loci, and 3 YSTR loci: D3S1358, D1S1656, D2S441, D10S1248, D13S317, Penta E, D16S539, D18S51, D2S1338, CSF1PO, Penta D, TH01, vWA, D21S11, D7S820, D5S818, TPOX, D8S1179, D12S391, D19S433, SE33, D22S1045, DYS391, FGA, DYS576, and DYS570. Amplified product detection is performed by capillary electrophoresis on an Applied Biosystems Genetic Analyzer.

DNA profile interpretation was aided by the STRmix software program. All assumptions made as part of the interpretation are stated in the conclusion for each sample. This includes the number of contributors and any known contributors. Mixture proportions represent the approximate percentage of each contributor to the DNA mixture profile.

When appropriate, statistical analysis (likelihood ratio calculation) was performed on autosomal loci using STRmix. A likelihood ratio (LR) is a ratio of the probabilities of obtaining the DNA evidence profile given competing explanations or propositions. Generally, the proposition in the numerator is the prosecution's proposition (Hp) and the proposition in the denominator is the defense's proposition (Hd). Additional propositions may be evaluated upon request after the report has been issued.

LRs with values greater than or equal to 10,000 provide support for the prosecution's proposition (Hp) over the defense's proposition (Hd) and supports that the individual(s) in the numerator (Hp) are included as contributors to the evidence profile. In addition to the numerical value calculated for the LR, a verbal qualifier can be used to express support for Hp relative to Hd. LR values from 10,000 to 999,999 provide strong support for Hp. LR values greater than or equal to 1,000,000 provide very strong support for Hp.

Uninformative likelihood ratios (LR equals 1) do not support the inclusion or exclusion of an individual to a sample. LRs from 2 to 9,999 are considered inconclusive. LRs in this range will not be reported. LRs from .01 to less than 1 provide limited support for exclusion of the individual to a sample. These LRs will be reported as the reciprocal of the LR to indicate the degree of support for Hd relative to Hp. LRs less than .01 (including zero) are deemed exclusionary. No numerical value will be stated in the report. In laboratory validation

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testing, false inclusions and false exclusions were observed at LRs in the limited support and inconclusive ranges.

Statistics were calculated using the recommendations of the National Research Council (NRC II) utilizing the NIST database (Forensic Sci. Int. Genet. 7 (2013) e82-83). The likelihood ratio reported is the most conservative value obtained from the US Caucasian, African American, Hispanic, and Asian population databases. All likelihood ratios are truncated to one significant figure and reported up to 1 septillion.

Profiles that have been entered into the CODIS (Combined DNA Index System) database are in accordance with state and national regulations where regular searches will be performed. Notification will be issued if there is a hit in the database or if the profile is removed from CODIS at any time in the future.

Comparisons may be attempted to profiles deemed suitable if additional case reference samples become available. Additional analysis may be requested if male DNA is detected and male reference samples are available. Please contact the Serology/DNA Unit for details or to make a new request.

Item(s) Submitted for DNA Analysis

Swab of knife handle (LIMS #3-1-1)
Swab of purple plastic fragments (LIMS #3-2-1)
Swab of damaged purple handle of knife (LIMS #4-1-1)
Swab of knife handle (LIMS #4-2-1)
Swab of damaged knife handle (LIMS #4-3-1)
Swab of purple handle of knife (LIMS #4-4-1)
Reference blood sample from Jonathan Murillo-Nix (LIMS #5-1-1)

DNA Conclusion(s)

A DNA profile was obtained from the following reference sample:
Jonathan Murillo-Nix (LIMS #5-1-1)

Swab of knife handle (LIMS #3-1-1)

Number of Contributors: 3, including at least 1 male
Mixture Proportions: 99%, 1%, 0%
Included: Jonathan Murillo-Nix (99%)

The DNA mixture profile is at least 1 septillion (1E24) times more likely to occur if it originated from Jonathan Murillo-Nix and two unknown individuals than if it originated from three unknown individuals.

The DNA profiles of an unknown 1% contributor and an unknown 0% contributor were determined. Due to the limited data, no conclusions can be made regarding the 0% contributor.

Swab of purple plastic fragments (LIMS #3-2-1)

Number of Contributors: 2, including at least 1 male
Mixture Proportions: 99%, 1%
Included: Jonathan Murillo-Nix (99%)

The DNA mixture profile is at least 1 septillion (1E24) times more likely to occur if it originated from Jonathan Murillo-Nix and an unknown individual than if it originated from two unknown individuals.

The DNA profile of an unknown 1% contributor was determined. Due to the limited data, no conclusions can be made regarding the 1% contributor.

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Swab of knife handle (LIMS #4-2-1)

Number of Contributors: Undetermined

Due to the complexity of the data, the DNA results are unsuitable for interpretation.

Swab of damaged knife handle (LIMS #4-3-1)

Number of Contributors: 2, including at least 1 male

Mixture Proportions: 97%, 3%

Included: Jonathan Murillo-Nix (97%)

The DNA mixture profile is at least 1 septillion ($1E24$) times more likely to occur if it originated from Jonathan Murillo-Nix and an unknown individual than if it originated from two unknown individuals.

The DNA profile of an unknown 3% contributor was determined. Due to the limited data, no conclusions can be made regarding the 3% contributor.

Items Not Proceeding to STR Analysis

Due to insufficient amounts of DNA, the following did not proceed to STR analysis:

Swab of damaged purple handle of knife (LIMS #4-1-1)

Swab of purple handle of knife (LIMS #4-4-1)

CODIS (Combined DNA Index System)

None of the DNA profiles obtained during analysis are suitable for entry into the CODIS database.

Disposition of Evidence

The remaining evidence was returned to Evidence and Property Management Division. All items submitted for testing were consumed during analysis. All remaining DNA evidence extracts will be retained.



Analyst: K. Mar #N4622 323-415-8830 5-24-22



Admin Review: M. Cirivello #N2502 6-13-22



Tech Review: R. Zepeda #N3358 6-13-22